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13 UNITED STATES DISTRICT COURT
14 NORTHERN DISTRICT OF CALIFORNIA

15 OAKLAND DIVISION

16
17 INTERTRUST TECHNOLOGIES
CORPORATION, a Delaware corporation,

18 Plaintiff,

19 v.

20 MICROSOFT CORPORATION, a
21 Washington corporation,

22 Defendant.

23 AND RELATED CROSS-ACTION.
24

Case No. C 01-1640 SBA (MEJ)
Consolidated with C 02-0647 SBA (MEJ)

JOINT STIPULATION OF
DISMISSAL WITH PREJUDICE

BEST AVAILABLE COPY

WHEREAS the Parties have resolved their dispute;

IT IS HEREBY STIPULATED AND AGREED by and between Plaintiff
InterTrust Technologies Corporation and Defendant and Counterclaimant Microsoft Corporation
by and through their respective undersigned counsel, and pursuant to Federal Rules of Civil
Procedure 41(a)(1)(ii) and 41(c), that the above-captioned matter be dismissed in its entirety with
prejudice, with each side bearing its own costs and attorney's fees.

Dated: 5/5/04

ERIC L. WESENBERG
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Eric L. Wesenberg
Attorneys for Defendant and Counterclaimant
MICROSOFT CORPORATION

Dated: 4/12/04

MICHAEL H. PAGE
KEKER & VAN NEST LLP

Michael H. Page
Attorneys for Plaintiff and Counterdefendant
INTERTRUST TECHNOLOGIES CORP.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: 5-6-04

Hon. Sandra Brown Armstrong
United States District Judge

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DECLARATION OF SERVICE VIA ELECTRONIC MAIL AND U.S. MAIL

I am more than eighteen years old and not a party to this action. My place of employment and business address is 1000 Marsh Road, Menlo Park, California 94025.

On May 10, 2004, I served:

JOINT STIPULATION OF DISMISSAL WITH PREJUDICE

By transmitting a copy of the above-listed document(s) in PDF form via electronic mail Michael H. Page at mhp@kvn.com, Doug Derwin at doug.derwin@derwin.com, dderwin@intertrust.com; James E. Geringer at james.geringer@klarquist.com and Michael Lyons at mlyons@morganlewis.com and also by placing true and correct copies of the above documents in an envelope addressed to:

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MICROSOFT CORPORATION

and sealing the envelope, affixing adequate first-class postage and depositing it in the U.S. mail at Menlo Park, California.

Executed on May 10, 2004 at Menlo Park, California.

I declare under penalty of perjury that the foregoing is true and correct.

ANNA FREDDIE